

#52
mp
6/6/02
PATENT
Docket No. 290.0042 0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Riya SHI et al.) Group Art Unit: 1623
)
Serial No.: 09/438,206) Examiner: Hui
Confirmation No.: 9018)
)
Filed: 12 November 1999)
)
For: METHOD AND COMPOSITIONS FOR TREATING MAMMALIAN
SPINAL CORD INJURIES

RECEIVED
MAY 30 2002
TECH CENTER 1600/2900

THIRD REQUEST FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents
BOX RCE
Washington, D.C. 20231

Sir:

Upon review of the Filing Receipt received from the U.S. Patent and Trademark Office in connection with the above-identified application, the following error was noted.

The priority information has been omitted. Please add the provisional application Serial No. 60/108,145, filed on November 12, 1998 to the U.S. Patent and Trademark Office's record. A copy of attempts by prior attorneys of record are enclosed. Applicants respectfully request a corrected Filing Receipt.

Request for Corrected Filing Receipt

Page 2 of 2

Applicant(s): Riya SHI et al.

Serial No.: 09/438,206

Confirmation No.: 9018

Filed: 12 November 1999

For: METHOD AND COMPOSITIONS FOR TREATING MAMMALIAN SPINAL CORD INJURIES

If the Examiner has any questions regarding this submission, please contact Applicants' Representative at the below-listed telephone number.

CERTIFICATE UNDER 37 C.F.R. 1.10:

The undersigned hereby certifies that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, BOX RCE, Washington, D.C. 20231.

Jacquelyn K. Torborg
JACQUELYN K. TORBORG
"Express Mail" mailing label number:
EV073730782US
Date of Deposit: 23 May 2002

Respectfully submitted for

Riya SHI et al.

By

Mueeting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Telephone (612)305-1220

Facsimile (612)305-1228

Customer Number 26813



26813

PATENT TRADEMARK OFFICE

By: *Victoria A. Sandberg*

Victoria A. Sandberg

Reg. No. 41,287

Direct Dial (612)305-1226

May 23, 2002
Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

December 11, 2000

Date of Deposit

Jason J. Schwartz

Name of Registered Representative

Signature

December 11, 2000

Date of Signature

TECH CENTER 1600/2900

MAY 3 0 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Riyi Shi et al.

Serial No. 09/438,206

Filed: November 12, 1999

METHODS AND COMPOSITIONS FOR
TREATING MAMMALIAN SPINAL
CORD INJURIES

Group Art Unit 1623

December 11, 2000

COPY

SECOND
PETITION FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTN: Office of Initial Patent Examination's Customer Service Center

Sir:

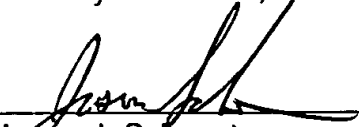
Please include the parent provisional application's filing date and serial number on the filing receipt in order to correctly reflect the parentage of this patent application. This information appears on the first page of the specification of this application, a copy of which is attached herewith for your convenience.

This same request was also made on November 17, 2000, and March 21, 2000,
as evidenced by the documents included in this communication.

Please issue a corrected filing receipt for this application.

Respectfully submitted,

By


Jason J. Schwartz

Reg. No. 43,910

Woodard, Emhardt, Naughton,

Moriarty & McNett

Bank One Center/Tower, Suite 3700

111 Monument Circle

Indianapolis, Indiana 46204-5137

(317) 634-3456

COPY

354

RECEIVED Page 1 of 3

MAY 30 2002

TECH CENTER 1600/2900



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/438,206	11/12/1999	1614	843	7024-427-PUR	14	21	3

KENNETH A GANDY
WOODARD EMHARDT NAUGHTON
MORIARTY & MCNETT BANK ONE CENTER/TOWER
111 MONUMENT CIRCLE SUITE 3700
INDIANAPOLIS, IN 462045137

CORRECTED FILING RECEIPT

RECEIVED



OC000000005566568*

NOV 29 2000

Woodard, Emhardt, Naughton,
Moriarty & McNett

Date Mailed: 11/20/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

RIYI SHI, WEST LAFAYETTE, IN ;
RICHARD B. BORGENS, DELPHI, IN ;

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 12/13/1999

** SMALL ENTITY **

Title

METHODS AND COMPOSITIONS FOR TREATING MAMMALIAN SPINAL CORD INJURIES

Preliminary Class

514

PLACE PRIORITY DATA HERE

COPY

Data entry by : DUCKETT, GOIGA

Team : OIPE

Date: 11/20/2000



COPY
COPY

7024-427:PUR-100:66597

**METHODS AND COMPOSITIONS FOR TREATING MAMMALIAN
SPINAL CORD INJURIES**

5 This invention was made with government support under grant
number DAMD17-94-J-4242 awarded by the Department of the Army and
grant number BES9631560 awarded by the National Science Foundation.
The Government has certain rights in the invention.

10 **CROSS-REFERENCE TO RELATED APPLICATIONS**

The present application claims the benefit of U.S. Provisional
Application Serial Number 60/108,145, filed on November 12, 1998, which
is hereby incorporated by reference in its entirety.

15 **BACKGROUND OF THE INVENTION**

The present invention relates generally to methods for treating an
injured spinal cord. Specifically, the invention relates to methods for
treating an injured spinal cord that include contacting the spinal cord with a
20 biomembrane fusion agent. Pharmaceutical compositions for treating an
injured spinal cord are also described.

The devastating effects of injury to the mammalian spinal cord are
not immediate. Severe mechanical injury initiates a delayed destruction of
spinal cord tissue producing a loss in nerve impulse conduction associated
25 with a progressive local dissolution of nerve fibers (axons) [Honmou, O.
and Young, W. (1995) *The Axon* (Waxman, S.G., et al., Eds.) pp. 480-529,
Oxford University Press, New York; Griffin, J.W. et al. (1995) *The Axon*
(Waxman, S.G., et al., Eds.) pp. 375-390, Oxford University Press, New
York]. This loss of sensory and motor communication across the injury site
30 can produce a permanent paralysis and loss of sensation in regions below
the level of the spinal injury. Furthermore, it is clear the most damaging
effects of progressive "secondary injury" [Young, W. (1993) *J. Emerg. Med.*
11:13-22] of spinal cord parenchyma relative to the loss of behavioral

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

March 21, 2000

Date of Deposit

Jason J. Schwartz

Name of Registered Representative

Jason J. Schwartz

Signature

March 21, 2000

Date of Signature

TECH CENTER 1600/2900

MAY 3 0 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Riyi Shi et al.

Serial No. 09/438,206

Filed: November 12, 1999

METHODS AND COMPOSITIONS FOR
TREATING MAMMALIAN SPINAL
CORD INJURIES

Group Art Unit 1623

March 21, 2000

COPY

PETITION FOR CORRECTED FILING RECEIPT

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTN: Office of Initial Patent Examination's Customer Service Center

Sir:

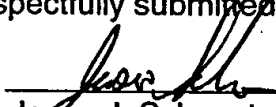
Please include the parent provisional application's filing date and serial number on the filing receipt in order to correctly reflect the parentage of this patent application. This information appears on the first page of the specification of this application, a copy of which is attached herewith for your convenience.

Also, please note that "METHOD" in the title of this application, as it currently appears on the filing receipt, should be "METHODS". This can also be found on the first page of the attached patent application's specification.

Please issue a corrected filing receipt for this application.

Respectfully submitted,

By


Jason J. Schwartz

Reg. No. 43,910

Woodard, Emhardt, Naughton,

Moriarty & McNett

Bank One Center/Tower, Suite 3700

111 Monument Circle

Indianapolis, Indiana 46204-5137

(317) 634-3456

COPY

FILING RECEIPT
CORRECTED



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/438,206	11/12/99	1623	\$843.00	7024-427-PUR	14	21	3

KENNETH A GANDY
WOODARD EMHARDT NAUGHTON
MORIARY & MCNETT BANK ONE CENTER/TOWER
111 MONUMENT CIRCLE SUITE 3700
INDIANAPOLIS IN 46204-5137

RECEIVED

MAY 30 2002

TECH CENTER 1600/2900

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) RIYI SHI, WEST LAFAYETTE, IN; RICHARD B. BORGES,
DELPHI, IN.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 12/13/99 ** SMALL ENTITY **
TITLE
METHOD AND COMPOSITIONS FOR TREATING MAMMALIAN SPINAL CORD INJURIES
PRELIMINARY CLASS: 514

COPY

RECEIVED

FEB 04 2000

Woodard, Emhardt, Naughton
& Moriarty & McNett

DATA ENTRY BY: BATIE, MARGARET

TEAM: 01 DATE: 01/27/00

(See reverse for new important information)

**COPY
COPY**

TECH CENTER 1800/26

MAY 30 2007

RECEIVED

7024-427:PUR-100:66597

METHODS AND COMPOSITIONS FOR TREATING MAMMALIAN SPINAL CORD INJURIES

This invention was made with government support under grant number DAMD17-94-J-4242 awarded by the Department of the Army and grant number BES9631560 awarded by the National Science Foundation. The Government has certain rights in the invention.

CROSS-REFERENCE TO RELATED APPLICATIONS

The present application claims the benefit of U.S. Provisional Application Serial Number 60/108,145, filed on November 12, 1998, which is hereby incorporated by reference in its entirety.

BACKGROUND OF THE INVENTION

The present invention relates generally to methods for treating an injured spinal cord. Specifically, the invention relates to methods for treating an injured spinal cord that include contacting the spinal cord with a biomembrane fusion agent. Pharmaceutical compositions for treating an injured spinal cord are also described.

The devastating effects of injury to the mammalian spinal cord are not immediate. Severe mechanical injury initiates a delayed destruction of spinal cord tissue producing a loss in nerve impulse conduction associated with a progressive local dissolution of nerve fibers (axons) [Honmou, O. and Young, W. (1995) *The Axon* (Waxman, S.G., et al., Eds.) pp. 480-529, Oxford University Press, New York; Griffin, J.W. et al. (1995) *The Axon* (Waxman, S.G., et al., Eds.) pp. 375-390, Oxford University Press, New York]. This loss of sensory and motor communication across the injury site can produce a permanent paralysis and loss of sensation in regions below the level of the spinal injury. Furthermore, it is clear the most damaging effects of progressive "secondary injury" [Young, W. (1993) *J. Emerg. Med.* 11:13-22] of spinal cord parenchyma relative to the loss of behavioral

WOODARD, EMHARDT, NAUGHTON, MORIARTY & MCNETT

PATENT AND TRADEMARK ATTORNEYS

BANK ONE CENTER/TOWER
111 MONUMENT CIRCLE, SUITE 3700
INDIANAPOLIS, INDIANA 46204-5137

FAX COVER SHEET

NO. OF PAGES: COVER SHEET PLUS 4 PAGE(S)

TO: USPTO Customer Service Center

FAX TELEPHONE NO.: 703-308-7751

FROM: Kim Richardson for Jason J. Schwartz

DATE: November 17, 2000

I hereby certify that this paper is being
facsimile transmitted to the Patent and
Trademark office on the date shown below

Kim Richardson
Print name of person signing certification
Kim Richardson
Signature
November 17, 2000
Date

RECEIVED

MAY 30 2002

TECH CENTER 1600/2900

CONFIRMATION OF RECEIPT REQUESTED IF CHECKED. ☐

ORIGINAL COPY AND ANY ENCLOSURES ☐ WILL BE SENT ☒ BY MAIL
☒ WILL NOT ☐ BY COURIER

CCPY

If problems occur during transmission, please contact us at one of the following:

VOICE PHONE number: (317) 634-3456

PRIMARY FAX number: (317) 637-7561

SECONDARY FAX number: (317) 637-7587

SPECIAL REMARKS: Re: USPN 09/438.206 Filed Nov. 11/12/99 Riyi Shi et al.

Attached is a copy of the Petition for Corrected Filing Receipt that was sent to the Patent Office on March 21, 2000. Please add the parent provisional application's serial number and filing date on the filing receipt (60/108,145 filed November 12, 1998). Also, the word "Method" in the title of the application should be "Methods". If you have any questions concerning this request, please feel free to call the undersigned.

Please send the corrected filing receipt at your earliest convenience to the attorney of record.

Thank you.

Kim Richardson

THIS MESSAGE IS INTENDED ONLY FOR THE ADDRESSEE(S) IDENTIFIED ABOVE.

It may contain privileged, confidential, attorney work product, or trade secret information that is exempt from disclosure under applicable laws. If you are not the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message is strictly prohibited. If you have received this facsimile in error, please notify the sender immediately by telephone and return the facsimile (and all copies) to the sender by mail at the above address. The sender will reimburse you for reasonable expenses incurred. Thank you.

FILING RECEIPT
CORRECTED



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/438,206	11/12/99	1623	\$843.00	7024-427-PUR	14	21	3

KENNETH A GANDY
WOODARD EMHARDT NAUGHTON
MORIARY & MCNETT BANK ONE CENTER/TOWER
111 MONUMENT CIRCLE SUITE 3700
INDIANAPOLIS IN 46204-5137

RECEIVED

MAY 30 2002

TECH CENTER 1600/2900

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) RIYI SHI, WEST LAFAYETTE, IN; RICHARD B. BORGES,
DELPHI, IN.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 12/13/99 ** SMALL ENTITY **
TITLE
METHOD AND COMPOSITIONS FOR TREATING MAMMALIAN SPINAL CORD INJURIES
PRELIMINARY CLASS: 514

COPY

RECEIVED

FEB 04 2000

Woodard, Emhardt, Naughton,
Moriarty & McNett

DATA ENTRY BY: BATIE, MARGARET

TEAM: 01 DATE: 01/27/00

(See reverse for new important information)